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PATENT
Attorney Docket No. 04329.3091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Yuzu HIRAYAMA et al.)	Group Art Unit: 2629
)	
Application No.: 10/614,195)	Examiner: Seokyun MOON
)	
Filed: July 8, 2003)	
)	
For: 3D IMAGE REPRODUCTION)	Confirmation No.: 6325
APPARATUS)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR RECONSIDERATION

In reply to the Office Action mailed November 16, 2007, the period for response extending through February 19, 2008, February 16 being a Saturday before a Federal Holiday, reconsideration of the rejection is respectfully requested in light of the following remarks.

Claims 1-18 are pending in this application.

In the Office Action¹, the Examiner rejected claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0130503 to Hamagishi et al. (*Hamagishi*)² in view of JP 08-101367 to Yugi (*Yugi*). Applicant

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

² Applicant notes that U.S. Patent Application No. 2004/0130503 issued as U.S. Patent No. 7,180,478.

respectfully traverses this rejection because *Hamagishi* does not qualify as prior art with respect to the rejected claims.

An international application may be used as prior art as of its filing date under 35 U.S.C. §102(e) if the international application "(A) was filed on or after November 29, 2000; (B) designated the United States; and (C) was published under PCT Article 21(2) *in the English language*" (emphasis added). See M.P.E.P. § 1857.01.

Hamagishi's PCT Application (PCT/JP02/02319) was published in Japanese, not in the English language. Therefore, *Hamagishi's* earliest effective date is its §371 date, which is September 12, 2003. The above-identified application was filed on July 8, 2003, which predates *Hamagishi's* earliest effective date. Therefore, *Hamagishi* does not qualify as prior art with respect to the rejected claims. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1-18 under 35 U.S.C. § 103(a).

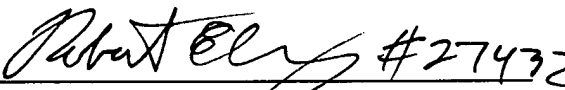
In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 19, 2008

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